

DETAILED ACTION

Applicants have cancelled claims 10-15 and added new claims 16-21 in the amendment filed on December 11, 2008. The claims 1-9 and 16-21 are considered allowable.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Andres on March 23, 2009 and March 25, 2009.

2. The application has been amended as follows:

Insert the phrase "wherein X represents an alkylsulfonyl group or an arylsulfonyl



group," directly after the structural formula (2) in claim 1.

Delete the phrase "comprising the alkyl Grignard reagent" in claim 6.

Replace the phrase “comprising the Lewis acid” in claim 19 with the phrase “wherein the compound of formula (3) is reacted with the alkyl metal compound, the titanium (IV) reagent and the Lewis acid”.

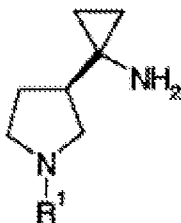
Replace the phrase “comprising the arylsulfonyl chloride” in claim 20 with the phrase “wherein the compound of formula (1) is reacted with the arylsulfonyl chloride”.

Replace the phrase “comprising the alkylsulfonyl chloride” in claim 21 with the phrase “wherein the compound of formula (1) is reacted with the alkylsulfonyl chloride”.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The invention relates to a process for producing an optically active compound



represented by the formula

wherein R1 is a protecting group. The

closest prior art is Inagaki, et al. The compound having the above Formula is neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawquia Young whose telephone number is 571-272-9043. The examiner can normally be reached on 7:00 AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawquia Young/

Examiner, Art Unit 1626

/Rebecca L Anderson/

Primary Examiner, Art Unit 1626